

**REMARKS****Summary of the Office Action**

Claim 1 stands objected to because of informalities.

Claims 1-4, 7-15 and 18-22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Omori (U.S. Patent No. 6,658,194) (hereinafter "Omori").

Claims 5, 6, 10, 16, 17 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Omori in view of Best (U.S. Patent No. 4,569,026) (hereinafter "Best").

**Summary of the Response to the Office Action**

Applicants have amended claim 1 to improve the form of the claim. Accordingly, Claims 1-22 remain pending for consideration.

**Claim Objection**

Claim 1 stands objected to because of informalities. Applicants have amended claim 1 to improve the form of the claim by incorporating the Examiner's helpful suggestion at page 2, section 1 of the Office Action. Accordingly, withdrawal of the objection to claim 1 is respectfully requested.

**Rejections under 35 U.S.C. § 102(b) and 103(a)**

Claims 1-4, 7-15 and 18-22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Omori. Claims 5, 6, 10, 16, 17 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Omori in view of Best. These rejections are respectfully traversed for at least the following reasons.

Applicants respectfully submit that the Omori reference relates to an editing device and method in which contents are automatically edited when an output rate is limited in transmitting audio and video data. For example, when sound data of the contents cannot be transported at a predetermined bit rate, such sound data are previously extracted and edited before the actual transmission begins. As a result of this arrangement, it becomes possible to maintain the desired predetermined bit rate in Omori.

Embodiments of the disclosure of the instant application do not utilize or contemplate such extraction and editing prior to transmission. As a result, the disclosure of the instant application differs significantly from the disclosure of Omori.

In embodiments of the disclosure of the instant application, it is only necessary to conduct a process (scenario) of acquiring information pieces initially. This process (scenario) of acquiring information pieces includes, for example, the name of the contents, the recording source, a destination of recording, and a recording mode. Once this information is acquired initially, it does not need to be subsequently acquired for future processing of partial information. In such subsequent processing of partial information, the recording operation is realized by identifying, for example, a scenario of previously-acquired information pieces.

Because it is not necessary to re-transmit information pieces that can be commonly used among the scenarios, a partial information process of re-sending the common information pieces can be omitted. Accordingly, there is no need to provide all information pieces necessary for newly performing the same partial information processing from the outside. As a result, embodiments of the disclosure of the instant application greatly simplify the treating of the AV information processing unit which significantly results in making the information processing

more user-friendly and efficient. See, for example, page 36, line 20 – page 37, line 3 of the instant application's specification.

From the characterizations of Omori asserted in the Office Action, it appears that the USPTO Examiner misunderstands the meaning of the “partial information” processing, as disclosed in the instant application. Although the transmission of several partial information processes can be omitted in embodiments of the instant application, as discussed above, Omori does not teach or suggest such an advantage. Instead, several information pieces are edited before any particular transmission in Omori. As a result, Omori is similar to arrangements disclosed in the Background portion of the instant application's specification.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. §§ 102(b) and 103(a) should be withdrawn because Omori does not teach, or even suggest, each feature of independent claims 1 and 12 of the instant application. As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).” Similarly, MPEP § 2143.03 instructs that “[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974).” Furthermore, Applicant respectfully asserts that the dependent claims are allowable at least because of their dependence from claim 1 or 12, and the reasons set forth above.

Moreover, Applicants respectfully submit that the additionally applied reference to Best with regard to dependent claims 5, 6, 10, 16, 17 and 21, does not cure the deficiencies of Omori discussed above.

**CONCLUSION**

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**

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By:



Paul A. Fournier

Reg. No. 41,023

**Customer No. 055694**

**DRINKER BIDDLE & REATH LLP**

1500 K Street, N.W., Suite 1100

Washington, DC 20005-1209

Tel.: (202) 842-8800

Fax: (202) 842-8465